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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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UNITED STATES OF AMERICA

*versus*

DAVID A. VOGEL (1)  
CARRIE L. DEMERS (2)  
JONATHAN C. VOGEL (3)

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CRIMINAL ACTION NO. 4:08-CR-224

MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636. On September 3, 2009, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant David Allan Vogel's Motion to Dismiss or for Transfer of Venue (Dkt. #108) and Defendant Jonathan C. Vogel's Motion to Dismiss or for Transfer of Venue (Dkt. #117) be **DENIED**. Defendant Carrie L. Demers joined in the motions.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Defendants' Motions to Dismiss or for Transfer of Venue are **DENIED**.

**IT IS SO ORDERED.**

SIGNED at Beaumont, Texas, this 8th day of October, 2009.



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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE